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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/788,775

02/27/2004

Chiu-Hao Cheng

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BACON & THOMAS, PLLC  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA, VA 22314

EXAMINER

OMOTOSHO, EMMANUEL

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODI

07/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/788,775

Applicant(s)

CHENG, CHIU-HAO

Examiner

Emmanuel Omotosho

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The applicant's field of endeavor, *Gaming with language tracks*, contains numerous prior arts pertinent to what is currently being claimed. The examiner is uncertain as to why there is no IDS entry from the applicant. In addition to the next response, the applicant is highly encouraged to put on record pertinent references.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 16-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, an "information date" and "translated date", which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 16-22 recite the limitation "said information code" and "translated date" in claim 16. There is insufficient antecedent basis for these limitations in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5, 8-10,13-14,16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Takatsuka et al. ("Takatsuka") US Pub No. 2002/0119810 A1.

In a gaming system, Takatsuka discloses:

8. Claim 1,16: receiving an audio/video signal from said video game, wherein said audio/video signal contains said information code interpreted in an original language to be output on a display device (Par 79). Pre-storing said audio/video signal in a memory module, extracting said information code from said audio/video (a/v) signal in said memory module, translating said information code from said original language into a selected language to form a translated data (Par 79,80). Outputting said a/v signal with said translated data at said display device in such a manner that a player of said video game is able to understand said translated data while said player is familiar with said selected language of said translated data (Par 81).

9. Claims 2,17: wherein said information code comprises a literal data to be translated as said translated data in said memory module and to be output at said display device in text manner (Par 79 and 81).

10. Claim 3: wherein said information code is substituted by said translated data to be output at said display device (Par 81).

11. Claim 4: wherein said translated data is captioned to be output at said display device (Par 81).
12. Claims 5,10,14,19-20: searching said information code from a language database for matching a closest meaning of said information code corresponding to said translated data (Par 80). This is inherent of Par 80 because once a user of Takatsuka's system picks a desired language as shown in fig 6, the system has to search through the system's memory for the selected language corresponding translation.
13. Claims 8,18: wherein said information code comprises a verbal data to be translated as said translated data in said memory module and to be output at said display device in voice message manner (Par 81).
14. Claim 9: wherein said information code is replaced by said translated data to be output at said display device (Par 80).
15. Claim 13: wherein said information code comprises a literal data and a verbal data to be translated as said translated data in said memory module, wherein said literal data is output at said display device in text message manner and said verbal data is output at said display device in voice message manner (Par 81).

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

18. Claims 6-7,11-12,15,21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takatsuka as applied above, and further in view of Oakes et al. ("Oakes") US Patent No. 7,025,678 B2.

19. Takatsuka discloses all the present invention but fail to specifically teach converting a/v signal into a digital form for processing. Claims 6-7,11-12,15 are directed to converting a/v signal into a digital form for processing. However, converting a/v signal into a digital form is truly old in the art and not a novel feature. This is normally done through the use of a analog-to-digital converter (ADC). For example, in a gaming environment, Oakes teaches converting a/v signal into a digital form for processing (Par 4 lines 58-67, Par 6 lines 11-39, Claim 5). It would have been obvious to one of ordinary skill to incorporate Oakes teachings wherein the motivation is to convert an analog signal from an analog signal-outputting device to a digital signal to be fed into a digital signal-receiving device. For this is exactly the function that ADC performs.

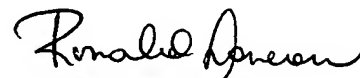
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Omotosho whose telephone number is (571) 272-3106. The examiner can normally be reached on m-f 10-6.

Art Unit: 3714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EO

  
RONALD LANEAU  
PRIMARY EXAMINER

7/12/07